

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,

v.

GREGG SMITH,
MICHAEL NOWAK, and
JEFFREY RUFFO,

Defendants.

Case No. 19-cr-669 (EEC)

**NOTICE OF FILING CONCERNING SUMMARY EXHIBITS AND
DEMONSTRATIVES REFERENCED ON EXHIBIT CHART**

PLEASE TAKE NOTICE that on May 5, 2022, defendants Gregg Smith, Michael Nowak, and Jeffrey Ruffo (“Defendants”) filed Defendants’ Consolidated Proposed Exhibit Chart, which includes those exhibits that Defendants previously identified in the following submissions: Defendants’ Proposed Exhibit Chart (ECF No. 291); Defendants’ First Supplemental Exhibit Chart, provided to the government on August 9, 2021; and Defendants’ Second Supplemental Exhibit Chart, provided to the government on April 21, 2022.

The Court is further advised that both the Defendants and the government have designated certain exhibits as placeholders for their respective summary exhibits and demonstrative exhibits, including summary exhibits and demonstratives related to anticipated expert testimony. The parties have met and conferred, and agreed to the following schedule for the exchange of those exhibits:

- **May 24, 2022:** Deadline for government to disclose summary exhibits.
- **June 7, 2022:** Deadline for Defendants to disclose summary exhibits.

- **June 17, 2022:** Deadline for government to disclose demonstrative aids.
- **June 24, 2022:** Deadline for Defendants to disclosure demonstrative aids.

Accordingly, all parties have respectfully reserved objections to the aforementioned summary exhibits and demonstratives until such time as they are exchanged.

In addition, Messrs. Smith and Nowak expect that the information contained in the summary exhibits they will produce to the government on June 7, 2022, per the agreed schedule, will address purported deficiencies in their expert disclosures set forth in the government's motions to exclude the testimony of the Defendants' experts. *See, e.g.*, Motion to Exclude Expert Testimony of Chester Spatt, Daniel Fischel, Ciamac Moallemi, and Raymond Keenan, at 1, 5, 6, 10, 12, 13, 17 (ECF No. 439); Motion to Exclude Purported Expert Testimony of Defendant Nowak, at 4-6 (ECF No. 440).

Dated: May 5, 2022

Respectfully submitted,

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